

106TH CONGRESS  
2D SESSION

# H. R. 1113

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2000

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

To assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Colusa Basin Water-  
5       shed Integrated Resources Management Act”.

6       **SEC. 2. AUTHORIZATION OF ASSISTANCE.**

7       The Secretary of the Interior (in this Act referred  
8       to as the “Secretary”), acting within existing budgetary  
9       authority, may provide financial assistance to the Colusa  
10      Basin Drainage District, California (in this Act referred  
11      to as the “District”), for use by the District or by local  
12      agencies acting pursuant to section 413 of the State of  
13      California statute known as the Colusa Basin Drainage  
14      Act (California Stats. 1987, ch. 1399) as in effect on the  
15      date of the enactment of this Act (in this Act referred  
16      to as the “State statute”), for planning, design, environ-  
17      mental compliance, and construction required in carrying  
18      out eligible projects in the Colusa Basin Watershed to—

19               (1)(A) reduce the risk of damage to urban and  
20               agricultural areas from flooding or the discharge of  
21               drainage water or tailwater;

22               (B) assist in groundwater recharge efforts to al-  
23               leviate overdraft and land subsidence; or

24               (C) construct, restore, or preserve wetland and  
25               riparian habitat; and

1           (2) capture, as an incidental purpose of any of  
2           the purposes referred to in paragraph (1), surface or  
3           stormwater for conservation, conjunctive use, and in-  
4           creased water supplies.

5   **SEC. 3. PROJECT SELECTION.**

6           (a) **ELIGIBLE PROJECTS.**—A project shall be an eligi-  
7   ble project for purposes of section 2 only if it is—

8           (1) consistent with the plan for flood protection  
9           and integrated resources management described in  
10          the document entitled “Draft Programmatic Envi-  
11          ronmental Impact Statement/Environmental Impact  
12          Report and Draft Program Financing Plan, Inte-  
13          grated Resources Management Program for Flood  
14          Control in the Colusa Basin”, dated May 2000; and

15          (2) carried out in accordance with that docu-  
16          ment and all environmental documentation require-  
17          ments that apply to the project under the laws of  
18          the United States and the State of California.

19          (b) **COMPATIBILITY REQUIREMENT.**—The Secretary  
20   shall ensure that projects for which assistance is provided  
21   under this Act are not inconsistent with watershed protec-  
22   tion and environmental restoration efforts being carried  
23   out under the authority of the Central Valley Project Im-  
24   provement Act (Public Law 102–575; 106 Stat. 4706 et  
25   seq.) or the CALFED Bay-Delta Program.

1 **SEC. 4. COST SHARING.**

2 (a) NON-FEDERAL SHARE.—The Secretary shall re-  
3 quire that the District and cooperating non-Federal agen-  
4 cies or organizations pay—

5 (1) 25 percent of the costs associated with con-  
6 struction of any project carried out with assistance  
7 provided under this Act;

8 (2) 100 percent of any operation, maintenance,  
9 and replacement and rehabilitation costs with re-  
10 spect to such a project; and

11 (3) 35 percent of the costs associated with plan-  
12 ning, design, and environmental compliance activi-  
13 ties.

14 (b) PLANNING, DESIGN, AND COMPLIANCE ASSIST-  
15 ANCE.—Funds appropriated pursuant to this Act may be  
16 made available to fund 65 percent of costs incurred for  
17 planning, design, and environmental compliance activities  
18 by the District or by local agencies acting pursuant to the  
19 State statute, in accordance with agreements with the Sec-  
20 retary.

21 (c) TREATMENT OF CONTRIBUTIONS.—For purposes  
22 of this section, the Secretary shall treat the value of lands,  
23 interests in lands (including rights-of-way and other ease-  
24 ments), and necessary relocations contributed by the Dis-  
25 trict to a project as a payment by the District of the costs  
26 of the project.

1 **SEC. 5. COSTS NONREIMBURSABLE.**

2       Amounts expended pursuant to this Act shall be con-  
3 sidered nonreimbursable for purposes of the Act of June  
4 17, 1902 (32 Stat. 388; 43 U.S.C. 371 et seq.), and Acts  
5 amendatory thereof and supplemental thereto.

6 **SEC. 6. AGREEMENTS.**

7       Funds appropriated pursuant to this Act may be  
8 made available to the District or a local agency only if  
9 the District or local agency, as applicable, has entered into  
10 a binding agreement with the Secretary—

11           (1) under which the District or the local agency  
12       is required to pay the non-Federal share of the costs  
13       of construction required by section 4(a); and

14           (2) governing the funding of planning, design,  
15       and compliance activities costs under section 4(b).

16 **SEC. 7. REIMBURSEMENT.**

17       For project work (including work associated with  
18 studies, planning, design, and construction) carried out by  
19 the District or by a local agency acting pursuant to the  
20 State statute in section 2 before the date amounts are pro-  
21 vided for the project under this Act, the Secretary shall,  
22 subject to amounts being made available in advance in ap-  
23 propriations Acts, reimburse the District or the local agen-  
24 cy, without interest, an amount equal to the estimated  
25 Federal share of the cost of such work under section 4.

1 **SEC. 8. COOPERATIVE AGREEMENTS.**

2 (a) IN GENERAL.—The Secretary may enter into co-  
3 operative agreements and contracts with the District to  
4 assist the Secretary in carrying out the purposes of this  
5 Act.

6 (b) SUBCONTRACTING.—Under such cooperative  
7 agreements and contracts, the Secretary may authorize  
8 the District to manage and let contracts and receive reim-  
9 bursements, subject to amounts being made available in  
10 advance in appropriations Acts, for work carried out under  
11 such contracts or subcontracts.

12 **SEC. 9. RELATIONSHIP TO RECLAMATION REFORM ACT OF**  
13 **1982.**

14 Activities carried out, and financial assistance pro-  
15 vided, under this Act shall not be considered a supple-  
16 mental or additional benefit for purposes of the Reclama-  
17 tion Reform Act of 1982 (96 Stat. 1263; 43 U.S.C. 390aa  
18 et seq.).

19 **SEC. 10. APPROPRIATIONS AUTHORIZED.**

20 Within existing budgetary authority and subject to  
21 the availability of appropriations, the Secretary is author-  
22 ized to expend up to \$25,000,000, plus such additional  
23 amount, if any, as may be required by reason of changes  
24 in costs of services of the types involved in the District's  
25 projects as shown by engineering and other relevant in-

- 1 dexes to carry out this Act. Sums appropriated under this
- 2 section shall remain available until expended.

Passed the House of Representatives September 18,  
2000.

Attest:

JEFF TRANDAHL,  
*Clerk.*